

The Australian Greens

Aboriginal People and Torres Strait Islanders

The Australian Greens recognise that this land and its waters were invaded and settled as colonies in contravention of international law without treaty or consent; and that the historic and ongoing illegal dispossession experienced by Aboriginal People and Torres Strait Islanders continues to limit their ability to exercise their human rights fully under international law – including their rights to land, culture, religion, and social and economic justice, and the preservation of their laws and customs. Australia was the only British colony which never signed a treaty or agreement with indigenous people, the original inhabitants and ‘owners’ of the lands, as traditionally understood by indigenous people.

1. Principles

- 1.1 The Australian Greens recognise a constitutional agreement would be the most desirable way to advance justice for Aboriginal People and Torres Strait Islanders (Indigenous people).
- 1.2 The Australian Greens recognise that Indigenous people, as the original owners and custodians, have a specific and unique cultural relationship with this country, which all Australians must respect.
- 1.3 We are committed to redressing discrimination and inequality across all aspects of Australian society.
- 1.4 The Australian Greens are committed to the eradication of all discriminatory and oppressive statutes.
- 1.5 The Australian Greens recognise and support the land rights of Indigenous Australians. The Australian Greens reject the *Native Title Amendment Act 1998* and support and recognise inalienable Aboriginal Title, which serves to empower peoples who have been denied their country and enables them to determine their own future, both culturally and economically.
- 1.6 We support the positive visions, hopes and aspirations of all Indigenous people for their communities’ culturally appropriate development.
- 1.7 The Australian Greens recognise and support the establishment of appropriate Indigenous representative bodies, responsible for policy and policy implementation for Indigenous people.
- 1.8 Indigenous people require, and are entitled to, culturally appropriate and fully resourced health facilities and appropriate housing, training and education as each community itself determines. Indigenous people through each community must control development, implementation and management of both mainstream and specific programs and services impacting on them. The Australian Greens support solutions developed and implemented by local communities and are committed to working in partnership with Indigenous communities and organisations to improve education, employment and political opportunities, and thus the general welfare and health of all Indigenous people.
- 1.9 We recognise that the non-indigenous population has much to learn from Indigenous people, about Indigenous people, our shared environment and about how this country was invaded and settled.
- 1.10 The Australian Greens recognise and accept the need for Australia’s history of ‘settlement’ to be revised without prejudice and taught at all levels of education.
- 1.11 The Australian Greens support increased opportunities from birth for programs in which Indigenous languages can be taught.

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- 1.12 Essential to all policy and implementation is Indigenous self-determination and control over decisions that affect their well-being. Indigenous control and implementation can only be achieved with adequate funding to ensure respect and acceptance of the collective rights of Indigenous communities.
- 1.13 The liberation of Indigenous people and beneficial improvements in service delivery require leadership at the Commonwealth Government level, state and local government action, and direct involvement, consultation and agreements with Indigenous people.
- 1.14 The issues and policy considerations facing Indigenous people are national issues and will only be resolved through political forthrightness by a Commonwealth Government in conjunction with concerted state and local government implementation dealing directly with Aboriginal communities.
- 1.15 The Australian Greens recognise and accept that it is our duty as a nation to establish a truth, reconciliation and justice program to provide an apology, compensation, rehabilitation and restitution to Indigenous people.
- 1.16 We recognise and accept the right of Indigenous people to negotiate royalties for all naturally occurring resources within and on Indigenous people's lands and waters.
- 1.17 The Australian Greens recognise and accept the right of Indigenous people to retain, and benefit financially from, their intellectual property rights to traditional knowledge and the biodiversity of their own lands and waters, in accordance with the international *Convention on Biological Diversity*.
- 1.18 The Australian Greens recognise and accept the need to support Indigenous communities to create long-term employment in their own communities, and that the Community Development Employment Projects Program pay the award wage, or above, to fully insured employees.
- 1.19 The Australian Greens support the move to autonomy for Indigenous people in all aspects of their lives, with recognition of their pre-eminent place as the original owners.
- 1.20 Reconciliation will never be achieved until we can say we are sorry and we act accordingly towards Australia's indigenous community for the wrongs that were done to them in the past, and which are still continuing. The Australian Greens are committed to achieving rights-based reconciliation between Indigenous and non-indigenous Australians. We recognise that this can only be achieved by resolving the causes of division between the two groups, including the ongoing failure to acknowledge and respect the inherent rights of Indigenous people as the first peoples of this land, and the historic and ongoing gap in human rights, including living standards, between them and non-indigenous Australians. To further reconciliation, the Australian Greens support: resourcing the reconciliation peoples' movement and appropriate Indigenous organisations and services, developing agreements or treaties, and issuing a formal apology by the Australian Government for the wrongs inflicted on the Indigenous communities by past and current policies.

2. Goals

The Australian Greens support the achievement of land, cultural, spiritual, economic, social and political self-determination by Aboriginal and Torres Strait Islander communities.

The Australian Greens are committed to reducing discrimination and inequality across all aspects of Australian society, by reinforcing the implementation of the *Racial Discrimination Act 1975*, as well as bringing into effect within Australian law and practice, all United Nations human rights conventions.

The Australian Greens will work with the Indigenous people to effect changes to the *Native Title Act 1993* in accordance with customary relationship between indigenous people and the land,

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established international law, the original United Nations *Draft Declaration on the Rights of Indigenous Peoples*, and the recommendations of the United Nations Committee on the Elimination of Racial Discrimination and of the United Nations Commission on Human Rights.

The Australian Greens support the reduction of incarceration of Indigenous youth and will support Indigenous elders and communities to create culturally appropriate educational and justice systems.

Our goals for Indigenous people are:

- 2.1 self-determination in all aspects of life
- 2.2 eradication of all discriminatory and oppressive statutes at all levels of government
- 2.3 conclusion of treaties with the diverse Indigenous nations and peoples by the Commonwealth Government dealing directly with communities, in accordance with principles of international law
- 2.4 fully resourced, culturally appropriate, and effective community-controlled cultural protection, health, housing, education and law enforcement and justice systems, including for youth so as to avoid incarceration
- 2.5 the provision and/or control by Indigenous communities of equitable as well as appropriate and adequate housing, education and health care
- 2.6 endorsement and implementation of the original United Nations *Draft Declaration on the Rights of Indigenous Peoples*
- 2.7 availability of full employment in Indigenous communities
- 2.8 the recovery of Indigenous people's health, well-being and longevity, to bring them at least to the mainstream standard
- 2.9 respect and provision of resources for the guaranteed protection and revival of Indigenous culture, language, customs and history with Indigenous elders, lawmen and law women to oversee curricula and education in Indigenous history, culture, language and law
- 2.10 the prioritisation and reinforcement of the National Aboriginal and Torres Strait Islander Education Policy in consultation with Indigenous people
- 2.11 implementation of the recommendations from the *Final Report of the Royal Commission into Aboriginal Deaths in Custody*, with participation of Indigenous communities.

3. Short Term Targets

The Australian Greens will work towards:

- 3.1 establishing direct dealings between the Indigenous community and the Commonwealth Government to achieve self-determination
- 3.2 establishing a way of working that accords with indigenous culture, including legal aid, health, protection of laws and customs, social security and land
- 3.3 implementing the recommendations of *Reconciliation:: Australia's challenge*, the final report of the Council for Aboriginal Reconciliation, December 2000; in particular, each government and parliament should negotiate a treaty process that protects the political, legal, cultural and economic position of Indigenous people, as well as their land, culture, laws, customs and spiritual beliefs
- 3.4 adhering to the recommendations of the Royal Commission into Aboriginal Deaths in Custody, working with Indigenous communities

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- 3.5 putting the Aboriginal and Torres Strait Islander Land Fund into the hands of Indigenous communities with assistance to ensure its effective management and accountability to Indigenous people
- 3.6 immediately introducing and implementing, by the Commonwealth Government, a social justice package for Indigenous people, as committed to by the Commonwealth Government during negotiations for the *Native Title Act 1993*
- 3.7 implementing *Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families* (1997) with the inclusion of points to cover land, culture, laws, customs and spiritual beliefs
- 3.8 repealing mandatory sentencing laws, recognising their devastating impact on Indigenous people, especially young people
- 3.9 determining the funding models to best handle health and drug problems, in liaison with Indigenous communities
- 3.10 significantly increasing Commonwealth Government funding for the Indigenous Land Corporation to enable Indigenous Australians for whom access to traditional lands is no longer possible, to purchase land
- 3.11 establishing, with Indigenous communities, a truth, reconciliation and justice commission to break the denial afflicting Australian society
- 3.12 supporting and resourcing Indigenous controlled and culturally appropriate birthing centres, where local communities request them
- 3.13 providing rural development subsidies to support Indigenous people to establish their own enterprises, and for micro and small businesses to employ Indigenous people in rural areas
- 3.14 enabling Indigenous communities to establish programs to nurture the learning of languages at risk
- 3.15 amending the *Native Title Amendment Act 1998* in line with the conclusions of the United Nations Committee on the Elimination of Racial Discrimination, to ensure that the native title rights of Indigenous Australians are protected
- 3.16 promoting and facilitating a long term strategy to greatly increase the number of practising traditional healers, indigenous doctors, nurses, midwives, mental health workers and dentists (see Health Policy)
- 3.17 promoting and facilitating directly with communities a long term strategy to greatly increase the number of practising Indigenous teachers, linguists, interpreters and to facilitate professional development in all other professional areas as required
- 3.18 working with Indigenous communities to remove from relevant legislation 'consent to destroy' provisions which provide for artefacts to be legally destroyed.